10/24/71

Senator Charles McC. Mathias
Room 460
Old Senate Office Bldg.
Washington, D.C.

Dear Mac,

If you have not yet been in touch with U.S. Attorney Beall, save your time. The extent of the double-cross is even greater than I had begun to fear. They used the time for simple and reprehensible espionage and while promising, finally, to begin negotiations for a settlement, ultimately assuring me of their good faith in this matter. They were actually preparing and on the 18th mailed me a set of interrogatories so long and so elaborate that the composition of them alone must have required a very considerable period of time.

What is even more incredible is that the questions asked have almost all been answered already in what proofs and records I had forced upon them. And on the 11th the assistant handling the case personally returned to me the records they are now asking for, in some cases in as many as three different forms.

There is no serious question not already answered, with records given to the U.S.Attorney voluntarily by me or earlier provided to the government, that includes anything I have not been trying to get them to accept for two years!

I have written the attorney on the case a long letter and will undertake a point-by-point response to the interrogatories, hopefully before he has a chance to withdraw them. It is not my desire to burden you, so I do not enclose it but I'll be glad to send it if you have any interest. To illustrate what I mean, they ask for records of over-flights, which they have had for years, and on the 11th they returned 19 single-spaced pages of listings of them made in tabular form and given to them years ago and again recently to simplify the work for them. Have you any idea how much work this was for me? Together with it they returned the original production records and the original notes of these overflights, and now they ask for both! They ask for a list of my witnesses, and for more than five years they have had this and more, copies of the affidavits I obtained and voluntarily gave the government, which didn't even know I had them. I began offering them the tapes of all the interviews sworn to, they have persistently refused them, and now they ask for this. I can only hope that Judge Thomsen's recollection is as sharp as I think it is, for this should then be counter-productive. I hope it sends him up the wall. It is so outrageous, I think it should. And it is open harrassment. They even ask me for what they alone can have, administrative decisions on administrative claims.

Clearly, this will now go to court. I do think it would be appropriate for you to learn through Sid Hurlburt what I think may be the consequence to the government and to the problem that will face the Congress should I prevail, as, without trickery or my own blundering, I should. The precedent is already established, and as the judge told the attorney, the only real question is computing the damages.

Sincerely,

Harold Weisberg